Harold Paulk Henderson, Sr. Oral History Collection

OH Vandiver 28

Robert Howell Hall Interviewed by Dr. Harold Paulk Henderson

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Cassette #480 (38 min., Side One only)

EDITED BY DR. HENDERSON

Side One

Henderson: My name is Dr. Hal Henderson, and this is an interview with Judge Robert

Howell Hall in his office in Atlanta. The date is July 28, 1994. Good morning, Judge Hall.

Hall: Good morning.

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Henderson: Thank you very much for granting me this interview.

Hall: Delighted to do so.

Henderson: Let me begin by asking you a question: How did you come to know [Samuel]

Ernest Vandiver [Jr.]?

Henderson: Well, I knew him slightly at the University of Georgia. He was in law school

and I was in college, and he was a good friend of a friend of mine, Lee Price, from Swainsboro,

Georgia. We were Delts and Ernie was Phi Delta Theta, but they would come to each other's

fraternities at different times.

Henderson: Now, were you and he at the university at the same time?

Hall: Part of the same time.

Henderson: Part of the same time?

Hall: Probably about two years, I guess.

Henderson: How well did you know him while you were at the university?

Hall: Not real well, just casually.

Henderson: Just casually. When did you come to know him on a more personal basis? Is that some time later?

Hall: Yes, that's some time later when he and I are both in the state government.

Henderson: I see. He runs for the position of lieutenant governor in 1954. Do you play a role in that campaign in any way?

Hall: No, I didn't.

Henderson: He is state adjutant general for six years under Herman [Eugene] Talmadge's administration. Did you play any role with him while he was adjutant general?

Hall: Not any significant role.

Henderson: So you did not pay much attention to the 1954 lieutenant governor's race? You were not really involved . . .?

Hall: That's true.

Henderson: What is your relationship with him while he is lieutenant governor?

Hall: Well, it became closer as he began to get closer to the period that he was going to run for governor as lieutenant governor and then after that [when] he was going to run for governor. One of his chief assistants was W. O. [Walter Odum] Brooks [Jr.]. I don't know if you ever heard of him or not. His wife was my secretary and so I got involved in the campaign a little bit that way, campaign for governor.

Henderson: Now, what was the extent of your involvement in that campaign?

Hall: Just giving advice, legal advice. Usually to Brooks and then to Vandiver.

Henderson: Let me go back just a minute. I want to come back to that election.

Hall: All right.

Henderson: Let me go back to the relationship between Governor [Samuel] Marvin Griffin [Sr.] and Lieutenant Governor Ernest Vandiver. What did you see as that relationship? Was it adversarial? Was it a cordial relationship?

Hall: Well, I think it became adversarial during the campaign because the campaign was based a lot on the fact that Ernie differed with him on different issues.

Henderson: In the 1958 legislative session Governor Griffin tries to secure increased funding for his rural roads authority, and there is a big fight in the legislature. Are you familiar with that fight? Did you play a role in that fight?

Hall: No, I didn't play any role in it. I can't remember it too well.

Henderson: Okay. In the 1958 election Ernest Vandiver makes a statement, "No, not one." Do you recall him making that statement?

Hall: I sure do [laughter].

Henderson: Were you involved in the discussion leading up to him making that decision or that statement in any way?

Hall: No, not really.

Henderson: Looking back on it, at that time do you think he should have made that statement or was it a mistake?

Hall: It was a mistake.

Henderson: Why do you say that it's a mistake?

Hall: Well, it was a position that if you took it, you couldn't sustain it.

Henderson: Why do you think he made it?

Hall: I don't know. There were rumors about who was responsible for making the suggestion to him.

Henderson: Who were some people that you heard probably suggested that he make that statement?

Hall: Well, at the time it was rumored that Bobby . . .

Henderson: His brother-in-law?

Hall: His brother-in-law, who was a super individual. I got to know him real well.

Later we served on the Court of Appeals together. A lot of people thought it was Peter Zack

[Geer, Jr.], but those closer in thought it was Bobby [Robert Lee] Russell [Jr.].

Henderson: Did Bobby Russell ever discuss this with you in any way?

Hall: No, not about that.

Henderson: You never asked about whether he had any influence over that statement?

Hall: No, I didn't.

Henderson: Do you recall the candidate that he ran against?

Hall: [William Turner] Bodenhamer [Sr.].

Henderson: Bodenhamer.

Hall: Right.

Henderson: What was your impression of Bill Bodenhamer?

Hall: Well, he was a gregarious sort of fellow. I knew him in the legislature before he ran. Very personable, I thought, but not a heavyweight.

Henderson: You said that you offered some advice to Governor Vandiver while he was running for governor, and this was relayed through . . .

Hall: Brooks.

Henderson: Mr. Brooks.

Hall: Right.

Henderson: What was some of the advice that you gave? Do you recall?

Hall: For example, I did a composite on all the different jobs that would be available in the administration and what code section it was and tied that together.

Henderson: What was your impression of Betty [Sybil Elizabeth Russell] Vandiver?

Hall: She's a remarkable woman. A real lady.

Henderson: What influence do you think she's had on Governor Vandiver?

Hall: Well, it's been to the good, I think.

Henderson: Let me go through and mention some people who held positions in the Vandiver administration and you just give me your impression of these people. Griffin B. [Boyette] Bell.

Hall: Very able lawyer.

Henderson: How influential was he in the Vandiver administration?

Hall: Very influential. He was chief of staff.

Henderson: William R. [Redding] Bowdoin.

Hall: Super guy. One of the ablest men who has ever served in state government, I think.

Henderson: Peter Zack Geer.

Hall: Very able lawyer. He was tied to a period of time though that would prevent him from moving on and becoming governor. I thought at one time he would become governor.

Henderson: Do you see him as being more conservative than Ernest Vandiver?

Hall: Well, it's hard to say in reference to the word *conservative*. I think in many ways Ernie was more conservative than he was in fiscal affairs and things of that sort. In reference to racial relations, of course, Peter Zack was a very strong individual on that particular subject.

Henderson: How about Mr. Jim [James Lester] Gillis [Sr.]?

Hall: Well, he was from my hometown, Soperton, and he was, in my opinion, one of the greatest state administrators that we've ever had. Strictly honest, always could depend upon his word, that what he said would be done would be done.

Henderson: How much influence did he have on the Vandiver administration?

Hall: Tremendous.

Henderson: Why so?

Hall: Because at that time the highway department was the center of state power, you might say political power.

Henderson: How about Walter O. Brooks?

Hall: He was probably the most influential man in the state in reference to his influence on the governor, as to what he did and what [he did] not [do] in reference to state government. This was true in reference to Carl [Edward] Sanders, and it was true in reference to Herman Talmadge. He was a man who as each administration changed was a key political advisor. This was even true of Griffin. In other words he served in the same position during the Griffin administration, during the Talmadge administration, during the Vandiver administration, and during the Sanders administration.

Henderson: Did he do more than advise? Did he write speeches or . . .?

Hall: He wrote speeches. He was a workaholic.

Henderson: But mostly an advisor to the governor?

Hall: That's right.

Henderson: Henry G. [Getzen] Neal.

Hall: Super guy. My good friend. He and I worked together a lot on state legal issues

when he was . . . assistant attorney general in the governor's office. [Phone rings]

Henderson: One of the major administration bills was one entitled "Honesty in

Government." Are you familiar [with it] or do you recall that law?

Hall: I do indeed.

Henderson: Could you discuss that law for us?

Hall: Well, it was to prevent people who are in state government from trading and doing business with the state. One of the main people behind the bill was Brooks. What went into the bill came primarily out of his ideas of what should be done in state government to make it more honest.

Henderson: Now, why was this law needed?

Hall: Because what was being done was considered wrong and yet there was no law that prohibited it. It was a conflict of interest law.

Henderson: Now you're making references to activities going on in the Griffin administration?

Hall: Right.

Henderson: There was a special division set up in the state law department to investigate alleged improper conduct of officials in the Griffin administration. Now, I want to ask you a lot of questions about that.

Hall: Okay.

Henderson: First of all, whose idea was it to create this special division?

Hall: I think it was Brooks.

Henderson: How did you become head of this division?

Hall: I think Brooks recommended me to the governor.

Henderson: Now, prior to this time had you had any association with the Vandiver administration?

Hall: Only to the extent of when he ran for governor I supported him and made a political donation to his campaign.

Henderson: But you held no previous position?

Hall: No, that's correct.

Henderson: Do you recall how many investigations were conducted and how many indictments came about because of this division?

Hall: No, I can't, although I'm giving you reports that will cover that.

Henderson: All right. Can you recall perhaps some of the worst abuses, wrongdoing in the Griffin administration? Anything that comes to mind?

Hall: Not all. It's been so long. I haven't looked at a report since then.

Henderson: Was either Cheney [Robert Alwyn] Griffin or Marvin Griffin indicted or convicted because of the work of your division?

Hall: Cheney was indicted. But if I recall, it was a mistrial that took place and he was never tried again. Marvin . . . an indictment was presented to the grand jury in Fulton County to indict former Governor Griffin. At that time we had the law which [unintelligible] a public official to appear before the grand jury. It was called [a] facia accusal law, and he could take his lawyer with him and he did that. The grand jury that heard it I was the one who gathered up the evidence in those and was going to present the case and there was an objection to me because the statute said that the attorney general could sit in and run the proceedings. As a result, I could not go into the grand jury and yet it was my . . . information and so forth that would bring it about. Even then, though it was a close vote in the grand jury and it lacked the requisite number of votes by about two to . . indict him. And therefore he was not indicted and that sort of was the end of the road because we had built case after case working its way through the state government into the governor's office.

Henderson: What kind of performance did Griffin give before the grand jury?

Hall: Of course, I wasn't in there. It was just what was told to me, but he would turn on his charm, which he had plenty of.

Henderson: Let me just ask your general impression: how corrupt do you think the Griffin administration was?

Hall: Well, some things they were doing that were wrong had been done by other administrations in the past, and as time goes on you see this happening around the country, what was permissible at one time was not permissible at a later date. A lot of money was being thrown around and commissions or kickbacks were given on state purchases and things of that sort.

Henderson: Was this being done at a greater level than, say, in previous administrations?

Hall: I think it was.

Henderson: One critic has called the Griffin administration the most corrupt in state government. Do you think that's a fair assessment?

Hall: I think it is in reference to the administrations that I have known.

Henderson: Do you think Marvin Griffin himself was personally corrupt or the people around him?

Hall: I think it was more the people around him. Now, it's possible that he took some money, too. We had a witness who was testifying before the grand jury that he placed several thousand dollars in his hand when the two of them were in the governor's office at that time. But most of the investigation dealt with people who were under him.

Henderson: Do you think that Cheney Griffin was personally corrupt?

Hall: Well, I'd hate to use the term "personally corrupt," but he was the main participant in what was going on politically in reference to doing business with the state.

Henderson: How influential was he in the Griffin administration?

Hall: A powerful influence.

Henderson: What areas did he have a great deal of influence in? Was it over personnel? Hiring? Firing?

Hall: I think everything dealing with state government.

Henderson: Would you discuss with me your staff that you had in this division, how many people you had and who were some of these people?

Hall: Yeah, when we got started, of course, I was the only one there, but I hired two ex-FBI [Federal Bureau of Investigation] agents as our investigators, and I hired the CPA [Certified Public Accountant] to go through, to work on books and bank matters that we were delving into in reference to the investigation, and I had a secretary, and that was the staff.

Henderson: How long were you associated with this division?

Hall: Well, I was there from the creation of it 'til almost to the end.

Henderson: Now, was it eventually phased out of existence?

Hall: Yes. The next administration didn't continue it.

Henderson: What was the relationship between this division and Governor Vandiver?

Hall: Well, he was the one that created it and he was the one that told me, gave me instructions to go out and clean it up.

Henderson: Did he periodically check with you to see how the division was operating and what it was doing?

Hall: To some extent. To a larger extent, though, he relied on me to tell him what was going on. When I came up on a serious political question or something, I'd usually go to him and tell him what I was about to do and see what he had to say. I'm proud that every time I went he said, "Get to the truth of the matter," no matter who it involved.

Henderson: Was there ever any effort by anyone to restrict or to limit or to hamper in any way the activities of your division?

Hall: Well, there were several people in state government that were nervous about the thing. I think it created a feeling that . . . we were out to get people, which we really weren't, but Some of the people who had been in the administration, Griffin administration, but

who didn't have any improper conduct that was being investigated would nevertheless . . . [be] anti to this division.

Henderson: Were there any politicians who tried to limit your activities?

Hall: Yes, there were two or three. Whenever it was attempted, I'd usually check with the governor. On a couple of occasions I checked with Mr. Gillis, who was in the state highway department. From both men I always got the sign to do what I thought was the best.

Henderson: So while you were head of this division you were never limited or restricted by the governor or by the attorney general from doing what you thought was best?

Hall: That's correct.

Henderson: Discuss for me Attorney General Eugene Cook. What kind of person was he?

Hall: He was a very affable gentleman. This was toward the end of his career and he wasn't as up to date on things as an attorney general perhaps could be and would be later on.

But he had some question about setting the division up 'cause it would sort of dilute his power, although the division would be under him. But he never tried to stop me from doing whatever I was doing. Once in a while he would ask me what would be going on and I would tell him, and he would say thank you.

Henderson: Is the motivation for creating this division--then it's not coming from the attorney general. Is it coming from Governor Vandiver?

Hall: Say that again.

Henderson: Is Governor Vandiver the one that says we want to create this division?

Hall: No, he was the one. He had Mr. Cook come over and talk to him about it, and Mr. Cook agreed to go along and cooperate with him in that regard.

Henderson: What was the general relationship between the attorney general and the governor? Was it cordial? Was it adversarial?

Hall: It was cordial, very cordial, but it was one of deference to the governor. Whatever the governor wanted Mr. Cook normally went along with it.

Henderson: I mentioned Marvin Griffin and Cheney Griffin. Let me ask you about your impression of T. V. [Truman Veran] Williams, Red Williams. Was he ever a source of any of your investigations?

Hall: We conducted several investigations of things and his name came up, but I don't recall anything specific that we pursued.

Henderson: How about Roy [Franklin] Chalker [Sr.]?

Hall: No, I don't recall him.

Henderson: Now, besides heading up this division were you involved in any other way with the Vandiver administration?

Hall: Yes, in addition to that I, during the whole period of time, I served as Mr. Cook's counsel, that is, lawyer for the Department of Education. That brought me into several of the things that were going on in reference to the Vandiver administration.

Henderson: Were you involved, for example, with the desegregation crisis?

Hall: I sat in on a lot of the various meetings.

Henderson: During the 1960 presidential election, Dr. Martin Luther King, Jr. is arrested in Georgia and Governor Vandiver plays a role in getting Dr. King released. Did you play any role in this episode?

Hall: No, I think the man who played a big role in it was his brother-in-law, Bobby.

Henderson: There's some talk that President-elect [John Fitzgerald] Kennedy will nominate Governor Vandiver to the position of secretary of the army. Governor Vandiver has his name withdrawn from consideration. Were you involved in this episode?

Hall: No.

Henderson: In the 1960 legislative session the Sibley committee was created. What was the Sibley committee and why was it created?

Hall: Well, I think it was created because of the term "no, not one." The answer was going to be that it was going to be more than one. It was a question of how could the public education [system] be saved, and they needed somebody like Mr. [John Adams] Sibley, who was a father figure in the state, and that he would chair the commission, move around the state listening to the people and come up with the solution that would save the public school system.

Henderson: You mentioned Mr. Sibley. How about discussing him for me? What kind of a person was he?

Hall: He was a great man. While he was with the Trust Company, he was always ready and able to assist in state government whenever he could. During my period of time as head of the criminal division, I would, every few weeks, drop by his office and listen to his advice and so forth.

Henderson: Would he give you some advice as far as what you were doing as far as your division?

Hall: Mainly on ethical things, getting his idea on what needs to be done.

Henderson: Were you brought into any of the discussions about creation of the Sibley committee?

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Hall: On the outer circle of it. Whereas I attended several meetings that took place at

the governor's mansion in which the governor would be there and Brooks would be there and I

would be there because of Brooks. Brooks asked me to come.

Henderson: Was there any division among the governor's advisors about whether the Sibley

committee should be created?

Hall: I think there was some members of the administration that were against creating

it.

Henderson: Do you recall any of those people who were against it?

Hall: I think of a couple of them, but I'm not sure. It's been so long; I'd hate to say they

were against it.

Henderson: Governor Vandiver has to deal with the desegregation crisis at the University of

Georgia. How do you think he handled that crisis?

Hall: It's been a long time; I don't remember it too well, but . . . best that I can recall is it

went fairly well. If you're going to interview Henry Neal, Henry Neal and I worked together on

several things involving the problems that came up at that time.

Henderson: Did he [Vandiver] ever personally solicit your advice on what he should do in

this crisis?

Hall: No.

Henderson: Did you ever at any occasion offer to him your advice . . .?

Hall: No, only if asked.

Henderson: Okay.

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Hall: I might describe an interesting meeting that took place during that time. It was at

the governor's mansion, and his closest advisors were there. The problem was what to do, how

to get out of this dilemma in reference to the public school system. Everybody was talking and

giving their thoughts and so forth, and finally Brooks said, "Let me be excused and I'll go

upstairs and write something up of what we've been talking"--everybody had a different idea, so

.... So he went upstairs to a small office, a room, and began to write. Everybody else took a

break, ate a sandwich, cup of coffee or something of that sort, and then came back into the

living room and Brooks appeared at the head of the stars with this paper that he had written

out. He held up a black umbrella that said "peace in our time." [Laughter]

Henderson: Governor Vandiver was associated with Senator [Richard Brevard] Russell [Jr.]

[and] Senator [Herman] Talmadge. He was a segregationist; he campaigned on "no, not one."

Why do you think he changed his mind on segregation and said, "We're going to keep the

University of Georgia open even if we desegregate it"?

Hall: Because he had no choice in my opinion, in other words, if the people wouldn't go

along with doing away with anything at the University of Georgia or in the public school

system.

Henderson: Now, there were some people who were saying, "Close the schools down before

they're integrated." Do you think his political career suffered because he made the decision he

did?

Hall: I think it did.

Henderson: At that time did you think it was damaged?

Hall: I don't think at that time but as he, Vandiver, ran for the Senate I think that hurt him in that particular race. One thing about is it didn't need to be said. You didn't have to say it, and if he hadn't said it, I think he would've been elected by just as much percentage points as if he hadn't said it [sic].

Henderson: In the 1961 session there is a major battle between the governor and the legislature over the budgetary process. Are you familiar with that? Did you play a role in that?

Hall: Only slightly. No, I didn't play any role in that.

Henderson: You were appointed to the state Court of Appeals by Governor Vandiver?

Hall: That's right.

Henderson: What year was that?

Hall: 1961. A few months after I was appointed, his brother-in-law, Bobby Russell, was appointed to the court. I got to know him real well during that period of time, and he was one of the nicest persons I've ever met. He was very close to Lyndon [Baines] Johnson. In things that dealt with national government he was on the phone with Johnson and Johnson was on the phone with him. He later developed--just after a couple of years--cancer and died at a very early age.

Henderson: What influence do you think he had on Governor Vandiver?

Hall: I think he had tremendous influence.

Henderson: Were they in contact on a regular basis?

Hall: Yeah, on a regular basis. Not only--they were good friends, good personal friends.

Henderson: Why did Governor Vandiver appoint you to the state Court of Appeals?

Hall: 'Cause I let it be known, mainly through Mr. Gillis and through Brooks, that I would like a job if possible.

Henderson: Looking back over the Vandiver administration, what do you see as its major accomplishments?

Hall: I think, to me, I guess because I worked in that field, I thought the integrity of state government and keeping it honest and above board. In other words, his name, to me, symbolized a honest state administration. One of the persons that was of great assistance in bringing this about was Bill Bowdoin. He left the Trust Company temporarily to head up the Purchasing Department and he was gung-ho all the way to clean out state government. Very able man. Close to Governor Vandiver. I think he, along with Brooks, had a lot to do with the governor's feelings about honesty in government.

Henderson: So you would say restoring integrity to state government was his major accomplishment?

Hall: That's right. To me, it was his major accomplishment.

Henderson: Now, would it supersede that of keeping the public schools open?

Hall: Well, I think you would have to give him credit for that too.

Henderson: Okay.

Hall: But you have to give him credit for making the statement that caused the big problem.

Henderson: Do you see the Vandiver administration having any failures, any shortcomings?

Hall: There probably were some, but I can't remember any offhand.

Henderson: How conservative was he when it comes to fiscal matters?

Hall: Very conservative. He was, what today is called, fiscally conservative.

Henderson: Did that limit his attitude toward expanding state services? Were state services expanded during his administration?

Hall: Best I recall, they were because we had the sales tax--we got it under Herman Talmadge. There appeared to be plenty of money to be used in improvements in the state.

Henderson: How would you describe his stewardship as governor?

Hall: I think, on the whole, it was very good and I was proud to be serving in the Vandiver administration.

Henderson: How would you describe his political philosophy? Was he conservative, moderate, liberal, a combination thereof?

Hall: I'd say moderate conservative.

Henderson: Did you ever see any liberalism demonstrated in Ernest Vandiver?

Hall: Not particularly.

Henderson: Okay. How would you describe his work habits? Was he a workaholic, lackadaisical, somewhere in-between?

Hall: Somewhere in-between.

Henderson: Would you consider him a strong or a weak governor?

Hall: Strong.

Henderson: Why would you call him a strong governor?

Hall: 'Cause he was ready to do what was right in reference to . . . corruption in state government.

Henderson: In dealing with people does he have a laid-back style or is he aggressive or somewhere in-between?

Hall: I'd say somewhere in-between.

Henderson: How would you describe him as a politician?

Hall: I would say, on that, just fair.

Henderson: Why fair?

Hall: Well, I don't think he was [a] hail-fellow-well-met like Marvin was. More reserved and quiet.

Henderson: You mentioned Marvin Griffin. Describe his personality just as contrast to Ernest Vandiver's.

Hall: Well, it was gregarious . . . exuding friendship and trust and so forth when you were talking with him. Great speaker. A man who could influence votes in the General Assembly by just the fact that he was saying it.

Henderson: Were you aware of any of the lobbying activities of Ernest Vandiver, say with the legislature? Did you ever come into contact with that, when he was trying to get his program through?

Hall: Only in reference to the criminal division.

Henderson: All right. [Long pause] Some people have characterized Ernest Vandiver as having a streak of stubbornness in him. Did you ever see that?

Hall: I think he was a little stubborn, yes.

Henderson: Do you ever see him get mad with anyone?

Hall: I can't recall it offhand. I'm sure he did when I was around, but I can't recall it.

Henderson: How would you describe his personality: low key, flamboyant?

Hall: Low key.

Henderson: In 1966 Governor Vandiver enters the governor's race and has to withdraw due to health reasons. Now, at that time you were still a judge?

Hall: What year?

Henderson: 1966.

Hall: I was on the Court of Appeals.

Henderson: So you could not play a role in?

Hall: No, I did not play any role after that in reference to any politics.

Henderson: There is some speculation that Governor Jimmy [James Earl] Carter [Jr.] would appoint Ernest Vandiver to the Senate seat if Richard Russell ever passed away. In 1972 or 1971 Senator Russell dies and Governor Carter appoints David [Henry] Gambrell to that position. Did you ever have any discussion with Ernest Vandiver about this matter?

Hall: No, I didn't.

Henderson: In 1972, he runs for the U.S. Senate. He was unsuccessful. Why do you think he was unsuccessful?

Hall: Well, you had a young candidate, at that time, named Sam [Samuel Augustus]

Nunn [Jr.], who sort of captured the imagination of the people of the state, I thought, and [was]
a very able politician.

Henderson: Do you think Governor Vandiver has been away from politics too long? He'd been governor several years previously. Does that play a factor?

Hall: I think, I think that played a factor, yes.

Henderson: But you would say that probably Sam Nunn's candidacy personality was more

important?

Hall: I think it was more important.

Henderson: All right. You mentioned some minutes ago the fact that Governor Vandiver's

"No, not one" speech came up to haunt him.

Hall: No question about that.

Henderson: How strong do you think that was [as] a deterrent to his getting re-elected?

Hall: It probably cost him some votes then . . and would as the future went on.

Henderson: Judge Hall, final question for you: What do you think will be Ernest Vandiver's

place in Georgia history?

Hall: I think history will record him as being one of the most able governors that we

had during this period of history. I think the negative effect is his statement about "no, not one"

which will hurt him in history. I think you have to consider the time when it was given, but it

was a mistake.

Henderson: Now, historians like to rank governors. Looking back at Governor Vandiver

would you consider him an average governor, above average governor, or below average

governor?

Hall: I'd consider him to be far above average.

Henderson: Okay. All right. Judge Hall, I want to thank you for granting me this interview.

It's been most informative.

Hall: Enjoyed it.

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